

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PONDEXTER BRYANT,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, *et al*,

Defendants.

Case No. C05-5607RJB

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on petitioner's filing of a civil rights complaint under 42 U.S.C. § 1983. To file a petition and initiate legal proceedings petitioner must pay a filing fee of \$250.00 or file a proper application to proceed *in forma pauperis*.

On September 13, 2005, the clerk received petitioner's complaint. (Dkt. #1). On September 15, 2005, the clerk sent petitioner a letter stating that he must either pay the full \$250.00 filing fee or file an application to proceed *in forma pauperis*. (Dkt. #2). The letter further stated that if petitioner did not so respond by October 17, 2005, this action may be subject to dismissal. To date, however, petitioner has not responded to the clerk's letter.

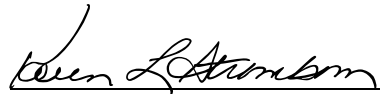
Accordingly, this court orders the following:

- (1) Petitioner shall seek to cure this deficiency by **no later than November 26, 2005**, by paying the full \$250.00 court filing fee or filing a proper application to proceed *in forma*

1 *pauperis*. **Failure to cure this deficiency by the above date shall be deemed a failure to**
2 **properly prosecute this matter and the court will recommend dismissal of this matter.**

3 (2) The clerk is directed to send a copy of this Order to petitioner.

4 DATED this 26th day of October, 2005.

5
6
7 

8 Karen L. Strombom
9 United States Magistrate Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28